

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

vs.

CASE NO. 00CR00085-001(CCC)

BENJAMIN DAVILA-LOPEZ

RECOMMENDATION THAT SUPERVISION TERM
BE ALLOWED TO EXPIRE AS SCHEDULED

TO THE HONORABLE CARMEN C. CEREZO
U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO

COMES NOW, Elizabeth Feliciano, Supervising U.S. Probation Officer of this Court, presenting an official report on the conduct and attitude of the offender, Benjamin Davila-Lopez, who on December 5, 2001, was sentenced to 27 months of imprisonment to be followed by a supervised release term of three (3) years after he pleaded guilty of violating 18 U.S.C. Section 1344. He was also ordered to make restitution in the amount of \$115,641.00 to Banco Popular de Puerto Rico and \$5,980.00 to Western Bank, for a total of \$121,621.00, to be paid in 36 monthly installments.

The offender was released to our district on February 28, 2002, but later relocated to the Middle District of Florida. He has been making payments toward his restitution to the best of his abilities according to his supervising U.S. Probation Officer, Troy C. Dennis. However, he will not be able to satisfy the remaining balance of the restitution by the February 27, 2005, at which time the term of supervision is scheduled to expire. As of February 1, 2005, the offender had paid \$3,620, of his total financial obligation.

The government filed a stipulation on February 10, 2005, which reflects that the offender has agreed to continue to pay \$100 per month commencing March 1, 2005, until the restitution balance is fully satisfied.

WHEREFORE, I declare under the penalty of perjury that the foregoing is true and correct and in lieu of the aforementioned, unless ruled otherwise, it is respectfully requested that the term of supervision be allowed to expire as scheduled on February 27, 2005 as scheduled.

In San Juan, Puerto Rico, this 17th day of February 2005

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Elizabeth Feliciano
Elizabeth Feliciano, Supervising
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CERTIFICATE OF SERVICE

I HEREBY certify that on February 17, 2005, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Evelyn Canals-Lozada, Assistant U.S. Attorney and Eric Pijuan-Torres, Esq..

At San Juan, Puerto Rico, this 17th day of February 2005.

s/Elizabeth Feliciano
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